

**MONITORING & REPORTING SUBCOMMITTEE**  
**of the**  
**BEACH WATER QUALITY WORKGROUP**  
**May 9, 2002**  
**SUMMARY**

**Agenda/Subject: 303(d) Lists**

Background:

On March 27, 2002, the Monitoring & Reporting Subcommittee of the Beach Water Quality Workgroup met to discuss all the various facets of listing impaired ocean water bodies, Clean Water Action Section 303(d) lists, including the criteria for how an ocean water beach is "listed", the various methods employed by the Regional Water Quality Control Boards (RWQCB) in this process and how this process might be improved and consistently applied throughout the state.

The subcommittee has conducted this task by agreeing to the following:

- The goal of these discussions is not to change the current list or critique the process that has been used up until this point.
- The discussion points proposed by the facilitator, Steve Weisberg, Executive Director of the Southern California Coastal Waters Research Project (See summary of March 27, 2002 meeting).
- Representatives of the participating RWQCBs have described in detail the criteria they used in listing a beach.

As a result of these discussions, the subcommittee has agreed to the following:

- **The data defining background conditions are poor. (EPA's 305(b) suggests that the appropriate background level for bacterial standard exceedances is 10%.)**
- **The time period for evaluation should begin with the last assessment or last "listing", i.e., currently done every 2 to 3 years.**
- **Flexibility in the use of this time period should be allowed when there have been changes in the watershed, e.g., best management practices (BMPs) may have been introduced and implemented that resulted in water quality improvements.**
- **It was agreed that if the average number of bacterial standards exceedances of the years in the time period is greater than 10%, the beach segment/water body fails and is listed. When 2 of the 3 years exceed the 10% threshold for bacterial exceedances, the beach segment/water body fails and is listed.**
- **The participants agreed that "rain advisory" days should not be counted towards the threshold (>10%) of bacterial standard exceedances days. However, any routine monitoring results of samples taken during the time period (outside of AB 411 period) should be used.**

*In order to achieve a consistent approach given the above scenario, a philosophical question must be settled, namely:*

- *Is it preferable to list a beach that will or should be delisted in the following cycle? or*
- *Fail to list a beach that should have been listed?*

**There was no agreement on this issue and the participants agreed to disagree.**

**May 9, 2002: Approach to the Listing Process**

*Issue: How should Ocean Plan standards be used in the listing process?*

**The Ocean Plan standards are currently under review by the SWRCB. They may be changed to reflect the AB 411 bacterial standards adopted by DHS.**

*Issue: What length of beach should be listed?*

There is currently no rule or standard regarding the length of beach to be listed. A bacterial monitoring station represents one data point.

**It was agreed to that exceedances at monitoring stations associated with storm drain discharges encompass 50 meters on each side of the discharge unless:**

- **Adaptive sampling data are available indicating a broader length of beach is impaired by the discharge.**
- **Two adjacent monitoring stations are linked by hydrological conditions. In this case the beach segment between the stations is listed as well as the 50 meters on each side.**
- **Flow rates are known and indicate a broader length of beach is impaired by the discharge. Currently, no data exist providing criteria for this kind of finding and flow dispersal patterns may significantly differ from drain to drain preventing the use of such data in a meaningful manner.**

**A TMDL must address the central source of the impairment, e.g., a storm drain discharge regardless of the length of beach involved.**

The participants then returned to the philosophical question that remained unanswered in the previous meeting, namely:

- *Is it preferable to list a beach that will or should be delisted in the following cycle? or*
- *Fail to list a beach that should have been listed?*

Currently, it is "easy" to list a beach but very difficult to remove said beach from the list. The SWRCB believes that confidence is needed in determining water quality impairments that will require TMDLs to improve water quality. The SWRCB wants to complete TMDLs that are most meaningful with respect to improving water quality.

*Issue: How or which data should be used?*

NEW SCENARIOS  
# POSTING DAYS

SCENARIO	# of Postings Year 1	# of Postings Year 2	# of Postings Year 3	Average for Period
1	20	60	40	40
2	20	40	40	33
3	20	80	20	40
4	20	60	20	33

**Participants agreed that scenarios 1 & 2 result in "Listing".**

**Participants did not agree on scenarios 3 & 4.**

"Listing" results in the initiation of the TMDL process. How confident should we be of the "listing?"

The group supports the idea of a list for waterbodies with uncertain information about whether or not they are water quality limited, a Monitoring Priorities List. Waterbodies on this list require additional monitoring to make a decision re they are water quality limited. In these cases the group agreed that:

- Older comparable data would not be useful in making the determination because conditions in the watershed may have changed
- The use of secondary criteria such as rainfall data or magnitude would also not provide sufficient information to make the determination.

It was suggested that scenarios 3 & 4 should go to a Monitoring Priorities List (MPL). Candidates may be listed as partially supporting uses per Clean Water Act Section 305(b) Report, the state assessment of all water bodies. The MPL list would not be part of the official 303(d) list transmittal but would be included in the information provided to U.S. EPA.

**It was agreed that:**

- **New data would be needed.**
- **Frequency of monitoring might be increased, e.g., weekly to daily or 5x per week until the next 303(d) listing cycle.**
- **Where monitoring frequency would remain the same the next review cycle would review new data.**

A lengthy discussion followed as to how the new monitoring data should be used.

- **Should the yearly number of postings be averaged? It had previously been agreed to that averaging over the time period was appropriate and if the average exceeded 36 postings per year the beach should be "303 (d) listed". In this discussion participants changed their minds and no clear agreement was reached.**
- **Participants agreed that if postings exceeded 36 days per year for 2 of the 3 years or 3 of the 6 years, "listing" was appropriate.**
- **Participants agreed that if postings only exceeded 36 days per year once during the six years "listing" was not appropriate.**

- **If the number of postings exceeded 36 for 1 of 3 years, the waterbody belonged on the MPL and increased monitoring was appropriate.**

#### **Permanent/Precautionary Postings**

**It was agreed that counties would be requested to differentiate between “precautionary” and “permanent” postings, and “permanent” postings would be used if backed by bacteriological data.**

#### **How should the distance of monitoring data from the source be used?**

1. The Monitoring & Reporting Subcommittee had previously recommended that 25 yards on each side of the source be the distance of the impairment.
2. The use of 37 days was based on bacterial counts in the wave wash.
3. If the monitoring station is 25 yards away from the source, dilution should be considered and an adjustment made for the number of postings allowed, i.e., it should be less than 10%.

**Consequently, the number exceedances allowed as background per 305(b) and RWQCB 4 must be adjusted for based on the distance of the monitoring station from the source. There is no recommendation for any adjustment however, based on available data.**

#### **Laboratory Methods**

Since Idexx measures the level of *E. coli*, should and adjustment be made for fecal coliform levels?

**It was agreed to that no adjustment is called for at this time.**

#### **Data Acceptability**

**It was agreed to that:**

- **In order for the data to be used for “listing”, it must be statistically significant (80% confidence level). If it is below the confidence level, the area in question should be placed on the monitoring priority list.**
- **If the data is seasonally biased, an adjustment must be made in the number of exceedances allowed.**
- **Data can only be accepted from an ELAP certified laboratory. If the laboratory is not certified, QA/QC must be approved.**

#### **Participants:**

Steve Wiesberg, SCCWRP (Facilitator)  
Clay Clifton, County of San Diego  
James Alamillo, Heal the Bay  
Jerrick Torres, County of Los Angeles  
Craig J. Wilson, SWRCB  
Robin McCraw, SWRCB  
Jack Petralia, SWRCB

Monica Mazur, County of Orange  
Garret Williams, City of San Diego  
John Griffith, SCCWRP  
Christina Arias, Regional Board  
Raymond Tom, DHS  
Adam Morrill, SWRCB

**Next Meeting: June 19, 2002 @ SCCWRP**